THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No: 27758 of 2005

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DATED: 02.01.2006

Between:

Chidella Lakshmi Kumari & another

… PETITIONER S

AND

The Special Officer & Competent Authority,

Urban Land Ceiling, Guntur.

… RESPONDENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No: 27758 of 2005

ORDER:-

This writ petition is filed to direct the respondent to consider the petitioners

representation dated 29.10.2005 in the light of the instructions issued by the Government of India in letter dated 21.05.1997.

The petitioners submit that their father Alapati Subba Rao filed a declaration in ULC.No.1449/76/G under Section 6(1) of the Urban Land (Ceiling & Regulation) Act. The said declaration has been passed and finalized without considering the claims of the petitioners, who are the major daughters as on the notified date. It is stated that as per the instructions issued by the Government of India in Lr.No.3/1/97-UCU(2), dated 21.05.1997 communicated to all the State Governments in which it is clarified that the major daughters as on the date of commencement of the Urban Land (Ceiling & Regulation) Act, irrespective of the fact whether their father is alive or not on that day, are entitled to a share in the property and accordingly, the petitioners made a representation dated 29.10.2005 before the respondent and the said representation has not been considered and disposed of so far.

Without expressing any opinion on the merits of the case as to whether the petitioners are married as on the notified date or not, and whether they are the unmarried major daughters or not, is a matter to be considered by the 1st respondent, the writ petition is disposed of directing the respondent to consider and dispose of the representation, dated 29.10.2005 of the petitioners after giving reasonable opportunity to them, within a period of eight weeks from the date of receipt of a copy of this order.

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02.01.2006

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